AI-HC—28

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M-A-(C)No.315/2006 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Misc. Appeal (C) No. 315/2006

APPELLANT CLAIMANT — Amrit Lal Satnami, S/o. Mansha Ram Satnami, aged about 35 years, R/o. Tatibandh Basti, P.S. Amanaka Raipur, Tah. & Distt. Raipur (C.G.)

Versus

RESPONDENTS NON-APPLICANTS

1. Narayan Verma, S/o. Shobhit Ram Verma, aged about 55 years, R/o. Vill. & Post Mohara, P.S. Suhela, Tah. Baloda Bazar.
2. Gulab Ram Verma, S/o. N.P. Verma, R/o. vill. & post Mohara, P.S. Suhela, Tah. Baloda Bazar
3. The New India Insurance Co. Ltd. by Divisional Manager, Divisional Office, Kachahari Chowk, Jail Road, Raipur (C.G.)

SB: HON'BLE SHRI DHIRENDRA MISHRA, J.

Shri S.C. Verma, Advocate for the appellant.
None appears for the respondents, though served.

ORDER
(11-6-2007)

Dhirendra Mishra, J.

Heard on M.(C.)P. No. 1816/2006 application for condonation of delay in filing the appeal as the instant appeal has been filed with a delay of 65 days.

The reason assigned by the appellant for filing the appeal with delay is that the appellant was not aware of the fact that there is any limitation for filing the appeal and he

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.C.No. 315/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

learnt about the law of limitation only when he contacted to his counsel.

The reason assigned for filing the appeal belatedly cannot be termed to be sufficient. Even other wise, from perusal of paras 11 and 12 of the impugned award, it is evident that the Tribunal has recorded the findings that the appellant has failed to prove that the he was earning a sum of Rs. 100/- per day and that he has sustained any permanent disability and he has only proved that he sustained injury in the said accident and with these findings a sum of Rs. 11,000/- has been awarded to the appellant-claimant as compensation for injuries sustained by him. The impugned award is based on evidence available on record.

The appeal is dismissed as barred by limitation as also on merit.

Sd/-
Dhirendra Mishra
Judge

8/-

9/3/9